

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1423 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 20-1-18-7 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JANUARY 1, 2001 (RETROACTIVE)]:
5 Sec. 7. (a) Two (2) or more school corporations may cooperate to
6 establish and maintain or supervise schools or departments for
7 vocational education if the governing bodies of these school
8 corporations agree to cooperate and apportion the cost of the schools
9 or departments among the school corporations.
10 (b) If the cooperating school corporations agree to establish and
11 maintain or supervise the schools or departments under subsection (a),
12 the heads of these school corporations or their delegated
13 representatives constitute a board for the management of the schools
14 or departments. The board may adopt a plan of organization,
15 administration, and support for the schools or departments. This plan,
16 if approved by the Indiana state board of education, constitutes a
17 binding contract between the cooperating school corporations.
18 (c) **This subsection does not apply to the withdrawal of a course**
19 **offering from a cooperative agreement.** The governing bodies of the
20 cooperating school corporations may cancel or annul this contract by
21 the vote of a majority of these governing bodies and upon the approval
22 of the Indiana state board of education. ~~However,~~ **In addition, the**
23 **governing body of a cooperating school corporation may withdraw**

1 from a cooperative agreement that does not include an expiration
2 date by doing the following:

3 (1) Providing written notice of the school corporation's intent
4 to withdraw from the cooperative agreement to the governing
5 bodies of the other cooperating school corporations at least
6 sixty (60) days before the date the school corporation's
7 withdrawal becomes effective.

8 (2) Providing written notice of the school corporation's intent
9 to withdraw from the cooperative agreement to the Indiana
10 state board of education at least sixty (60) days before the
11 date the school corporation's withdrawal becomes effective.

12 (d) This subsection applies only to the withdrawal of a course
13 offering from a cooperative agreement. If a school corporation
14 desires to withdraw a course offering from the cooperative agreement
15 after:

16 (1) attempting to withdraw the course offering under any
17 withdrawal procedure authorized by the school corporation's
18 cooperative agreement or by law; and

19 (2) being denied the authority to withdraw the course offering;

20 the school corporation may appeal the denial to the Indiana state board
21 of education. In the appeal, a school corporation must submit a
22 proposal requesting the withdrawal to the Indiana state board of
23 education for approval. The proposal must describe how the school
24 corporation intends to implement the particular vocational education
25 course and must include a provision that provides for at least a two (2)
26 year phase-out of the educational program or course offering from the
27 cooperative agreement. Upon approval of the proposal by the Indiana
28 state board of education, the school corporation may proceed with the
29 school corporation's withdrawal of the course offering from the
30 agreement and shall proceed under the proposal. This withdrawal
31 procedure may not be construed to permit a school corporation to
32 change any other terms of the contract under subsection (b) except
33 those terms that require the school corporation to provide the particular
34 course offering sought to be withdrawn.

35 ~~(d)~~ (e) The board described in subsection (b) may enter into an
36 agreement to acquire sites, buildings, and equipment by lease or
37 purchase that are suitable for these schools or departments. This
38 authority extends to the acquisition of facilities available under
39 IC 21-5-11.

40 ~~(e)~~ (f) This board may, by resolution adopted by a majority of the
41 board, designate three (3) or more individuals from its membership to
42 constitute an executive committee. To the extent provided in the
43 resolution, this committee shall exercise the authority of the full board
44 in the management of the school and shall submit a written summary
45 of its actions to the full board at least semiannually.

46 (g) If a school corporation that withdraws from a cooperative

1 **agreement without the vote of a majority of the cooperating school**
2 **corporations under subsection (c) is a party to a lease agreement**
3 **with the other cooperating school corporations, the withdrawing**
4 **school corporation must continue to make the lease payments**
5 **required by the lease agreement."**

6 Renumber all SECTIONS consecutively.
 (Reference is to HB 1423 as printed February 1, 2001.)

Representative Bauer